

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 10-32(1) (JNE/SER)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DENNIS EARL HECKER,)	
)	
Defendant.)	

WHEREAS, on April 12, 2010, at the defendant's request and after he swore under oath that he lacked the funds with which to pay for an attorney, an attorney was appointed to represent the defendant at the public's expense, pursuant to the Criminal Justice Act ("CJA"), 18 U.S.C. § 3006A;

WHEREAS, the Court's Order of April 12, 2010, provided:

If Defendant should hereafter retain private counsel, or if it is otherwise determined that funds are available for payment from or on behalf of Defendant, he shall be required to reimburse the government pursuant to 18 U.S.C. § 3006A(f) for any attorney's fees or costs already expended by his court-appointed attorney. The Federal Defender's Office will pursue collection of those fees and costs.

WHEREAS, on October 22, 2010, the Court terminated the defendant's publicly-appointed counsel and granted his motion for substitution of private counsel;

WHEREAS, this Court finds that the defendant had at least some funds available to him with which to reimburse the government for attorney's fees expended by the public on his behalf. Such funds include a number of American Express gift cards in the total amount

of \$11,420.61; and

WHEREAS, the government has retained custody of such gift cards at the request of the Court.

IT IS HEREBY ORDERED that:

1. The government will liquidate the gift cards, in the total amount of \$11,420.61, and will apply the full amount of the gift cards toward reimbursing the government for the costs of the defendant's CJA attorney. The government will obtain from American Express a check or money order, in the amount of \$11,420.61, payable to Clerk of Court.

2. The Clerk of Court is directed to deposit the \$11,420.61 into the Defender Services CJA Appropriation Account.

Dated: 2-9-2011

s/ Joan N. Ericksen
The Honorable Joan N. Ericksen
U.S. District Court Judge